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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,300	12/16/2003	Michael Muller	LOT920030036US1	7679

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ART UNIT	PAPER NUMBER
2179	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _16 December 2003_.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-28_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to the original application filed 12/16/2003.

This action is **Non-Final**. Claims 1-28 are pending and have been examined.

Claim Rejections - 35 USC § 101

2.   **35 U.S.C. 101 reads as follows:**

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3.   **Claims 16-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

As to claim 16, a "compact interface" is being recited; however, the compact interface is a non-functional data structure that presents non-statutory subject matter.

As such, claims 17-20 are rejected as incorporating the deficiencies of a claim upon which it depends.

Claim Rejections - 35 USC § 103

4.   **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to

be patented and the prior art are such that the subject matter as a whole would have been
obvious at the time the invention was made to a person having ordinary skill in the art to
which said subject matter pertains. Patentability shall not be negatived by the manner in
which the invention was made.

5.   **Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Guerrero et al. (US Patent 7,058,905), hereinafter "Guerrero".

> *The Examiner has pointed out particular references contained in the prior
> arts of record in the body of this action for the convenience of the Applicant.
> Although the specified citations are representation of the teachings in the art
> and are applied to the specific limitations within the individual claim, other
> passages and figures may apply as well. The Applicant should consider the
> entire prior art as applicable as to the limitations of the claims. It is
> respectfully requested from the Applicant, in preparing the response, to
> consider fully the entire references as potentially teaching all or part of the
> claimed invention, as well as the context of the passage as taught by the prior
> arts or disclosed by the Examiner.*

As claims 1, 9 and 21, Guerrero teaches a method for providing a compact

interface for display of an object hierarchy having a plurality of levels (Abstract, lines 1-9)

comprising:

displaying a first level root node of the object hierarchy (fig 6A, label 608B; col. 7, lines

19-23) in a first window (fig. 6A, label 504, col. 7, lines 11-13) upon selection of the first

level root node in the first window, displaying a window (fig. 6A, label 506; col. 7, lines

11-13) that includes a listing of all second level child nodes of the first level root node

(fig. 6A, labels 610A-610F; col. 7, lines 25-26) immediately adjacent and to a side of the

first level root node in the first window (fig. 6A, labels 504, 506, that the two windows

504 and 506 are adjacent) and selecting one of the second level child nodes from the

listing of all second level child nodes included in the window (fig. 6A, label 610F; col. 8,

lines 16-17);

wherein, upon selection of one of the second level child nodes (fig. 6A, label 610F; col. 8, lines 16-17), the window that includes the listing of all second level child nodes of the first level root node disappears <u>from the first window</u> (col. 4, lines 3-5; col. 8, lines 9-13, that when the choice list (window) 506 is reset, the displayed list disappears), and is replaced by the selected second level child node (fig. 6B, label 608C), which is displayed immediately adjacent and to the side of the first level root node <u>in the first window</u> (col. 4, lines 1-3; fig. 6B, labels 608B, 608C, that label 608C is displayed adjacent to and on the bottom side of label 608B).

Guerrero does not specifically teach the window is a pop-up window.

However, Guerrero teaches the vertical browser that comprises a path list and a choice list in separate areas (windows) (fig. 5, labels 502, 504, 506; col. 6, lines 66-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention that such a separate area (window) of the vertical browser could be a pop-up window.

The difference from claim 21 to claim 1 is Guerrero further teaches a program product stored on a recordable medium (fig. 4, labels 400, 412; col. 4, lines 62-65) for providing a compact interface for display of an object hierarchy having a plurality of levels, which when executed (Abstract, lines 1-9).

As claim 16, Guerrero teaches a compact interface for displaying an object hierarchy having a plurality of levels (Abstract, lines 1-9; fig. 6A-6D) in <u>a first window</u> (fig. 6A, label 504, col. 7, lines 11-13) comprising:

a first level root node of the object hierarchy (fig 6A, label 608B; col. 7, lines 19-23);

a single second level node of the object hierarchy (fig. 6A, labels 610F; col. 7, lines 25-26), wherein the second level node is a child of the first level root node (col. 7, lines 25-26).

and a single third level node of the object hierarchy (fig. 6B, label 610B; col. 8, lines 20-22), wherein the third level node is a child of the second level node (fig. 6B, labels 608C, 610B; col. 8, lines 17-22, that label 608B is a child of label 608C);

wherein the first level root node (fig. 6C, label 608B), second level node (fig. 6C, label 608C), and third level node (fig. 6C, label 608D) are displayed in a linear arrangement in the first window (fig. 6C, label 502, col. 6, lines 40-42, 49-52), wherein the first level root node (fig. 6D, label 608B) and second level node (fig. 6D, label 608C) are live (fig. 6D, labels 502, 624; col. 8, lines 52-56, that when arrows 624 are activated, all the items "608B-608E" in window 502 are alive to be ready for the selection), and wherein the third level node (fig. 6C, label 608D) is live if it has any child nodes (fig. 6C, labels 610A-610E).

Guerrero teaches teach the nodes are displayed in a vertical linear arrangement vertically (fig. 6D, labels 608A-E; col. 8, lines 52-56).

Guerrero does not specifically teach the nodes are displayed in a horizontal linear arrangement. However Guerrero teaches the vertical browser that comprises a path list (fig. 6B, label 504). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention that such a display could display the nodes in a horizontal linear arrangement since windows can have vertical and horizontal scrolling bars.

As claims 2, 10 and 22, Guerrero further teaches:

upon selection of the displayed second level child node <u>in the first window</u>, displaying a

window (fig. 6B, label 506) that includes a listing of all third level child nodes (fig. 6B,

label 610A-610B; col. 8, lines 20-22) of the displayed second level child node (fig. 6B,

label 608C) immediately adjacent to a side of the displayed second child node (fig 6B,

label 504) <u>in the first window</u> (fig. 6B, labels 504, 506).

and selecting one of the third level child nodes from the listing of all third level child

nodes included in the window (fig. 6B, labels 610B; col. 8, lines 24-29);

wherein, upon selection of one of the third level child nodes (fig. 6B, label 610B; col. 8,

lines 24-29), the window that includes the listing of all third level child nodes of the

displayed second level child node disappears <u>from the first window</u> (col. 8, lines 9-13,

that when the choice list (window) 506 is reset, the displayed list disappears), and is

replaced by the selected third level child node (fig. 6C, label 608D), which is displayed

immediately adjacent and to the side of the displayed second child node <u>in the first</u>

<u>window</u> (col. 4, lines 1-3; fig. 6C, labels 608B, 608C, 608D, that label 608D is displayed

adjacent to and on the bottom side of label 608C).

As claims 3, 11 and 23, Guerrero further teaches:

selectively repeating the above-described steps for at least one subsequent level in the

object hierarchy (col. 3, lines 67; col. 4, lines 1-5), wherein each selected node is

displayed immediately adjacent and to a side of a selected node from a previous level of

the object hierarchy (fig. 6C, labels 608B, 608C, 608D that label 608D is displayed

adjacent to and on the bottom side of label 608C) <u>in the first window</u> (fig. 6A, label 504,

col. 7, lines 11-13).

As claims 4, 12 and 24, Guerrero further teaches the first level root node (fig. 6C, label 608B) and any selected nodes (fig. 6C, label 608C-608D; col. 8, lines 57-63) are displayed in a linear arrangement <u>in the first window</u> (fig. 6C, label 502, col. 6, lines 40-42, 49-52), wherein only a single node is displayed for each level of the object hierarchy (fig. 6A, label 608B/608C/608D is a single node).

Guerrero teaches teach the nodes are displayed in a vertical linear arrangement vertically (fig. 6D, labels 608A-E; col. 8, lines 52-56).

Guerrero does not specifically teach the nodes are displayed in a horizontal linear arrangement. However Guerrero teaches the vertical browser that comprises a path list (fig. 6B, label 504).   Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention that such a display could display the nodes in a horizontal linear arrangement since windows can have vertical and horizontal scrolling

As claims 5, 13, 17-18 and 26, Guerrero further teaches upon selection of one of the displayed nodes <u>in the first window</u> (fig. 6A, label 506; col. 7, lines 11-13); displaying a window <u>in the first window</u> that includes a listing of all sibling nodes of the selected displayed node (fig. 6A, labels 610A-610F; col. 7, lines 25-26), and <u>displaying a</u> window <u>the first window</u> that includes a listing of all child nodes of the selected displayed node adjacent the selected displayed node (fig. 6A, labels 610A-610F; col. 7, lines 25-26).

As claims 6, 14, 19 and 26, Guerrero further teaches upon selection of one of the displayed nodes <u>in the first window</u> (fig. 6A, label 506; col. 7, lines 11-13); displaying a window <u>in the first window</u> that includes a listing of at least one level of

ancestor nodes of the selected displayed node (fig. 6A, labels 504, 608B; col. 4, lines 1-5; col. 7, Lines 36-39), displaying a window in the first window that includes a listing of all sibling nodes of the selected displayed node (fig. 6A, labels 610A-610F; col. 7, lines 25-26).

As claims 7, 15, 20 and 27, Guerrero further teaches upon selection of one of the displayed nodes in the first window:

displaying a window in the first window that includes a listing of each level of ancestor nodes of the selected displayed node (fig. 6A, label 504; col. 4, lines 1-5; col. 7, Lines 36-39), displaying a window in the first window that includes a listing of all sibling nodes of the selected displayed node (fig. 6A, labels 610A-610F; col. 7, lines 25-26), and displaying a window in the first window that includes a listing of each level of descendant nodes of the selected displayed node (fig. 6A, labels 610A-610F; col. 7, lines 25-26).

As claims 8 and 28, Guerrero further teaches:

associating at least one of the displayed nodes with a functionality (col. 10, lines 11-18, that each object (node) has it own function); and upon selection of one of the displayed nodes, executing the associated with the selected node (col. 10, lines 19-24).

Conclusion

6.   The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. 1.111(c) to consider these references fully when responding to this action.
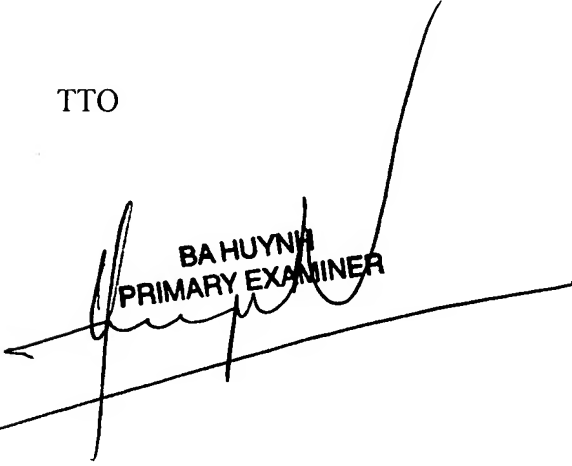
7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thuy Osberg whose telephone number is 571-270-1258. The

examiner can normally be reached on Monday-Friday (8:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TTO

BA HUYNH
PRIMARY EXAMINER